

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131832/LP/2021

Date registered valid: 5 October 2021

Proposal: Certificate of Lawful Proposed Development for Garage Conversion

Address: 43 Thirlmere Road, Manchester, M22 1NA

Ward(s): Woodhouse Park Ward

Applicant: Cristina Morozan, 43 Thirlmere Road, Manchester, M22 1NA

Agent (if any): Mr Howard Lawrenson, Lawrenson Associates, 1 The Globe, 142 Hardshaw Street , St. Helens, WA10 1JT

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **29 November 2021**

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: Not required

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: No neighbour notifications have been printed and sent.

Site notice: No site notice has been produced

Press advert: No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey semi-detached C3 dwellinghouse of red brick with a pantile gable roof, single storey front porch and attached garage to the side. The property has not been previously extended and sits within a plot which includes front and rear gardens and a tarmac driveway.

Description of area

Thirlmere Road forms part of a residential estate (049251/FO/SOUTH3/96) off Portway in Woodhouse Park, north of the airport. The area benefits from its proximity to Wythenshawe Civic Centre and Painswick Park.

Description of development

The applicant wishes to convert the original attached garage into additional living space, namely a larger open place kitchen-diner.

Consultations & Notification Responses

None required for this type of application.

Policy

Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015:

- Class A – Permitted development - The enlargement, improvement or other alteration of a dwellinghouse.

Assessment

The proposal involves removing the garage door in the front elevation of the attached garage to the side of the dwellinghouse and replacing it with a new window and the replacement of the rear door with a glazed door, along with facing brickwork infilling the space surrounding each, to create a larger open-plan kitchen-dining room on the ground floor. The proposal does not involve enlarging the garage in any way, footprint nor height, and the property has its Permitted Development rights intact.

The proposal complies with the criteria set out in the General Permitted Development Order (2015) for Class A and it is not thought that the garage conversion would cause significant disamenity to the surrounding occupiers nor significant harm to the visual amenity of the estate, particularly given there will remain a space on the driveway to park a car off-street, therefore the City Council considers it permitted development.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Condition(s) to be attached to decision for approval

Approve on the basis that the proposed garage conversion shown on drawing numbered '01 Rev A', stamped as received by the City Council as Local Planning Authority on the 5th October 2021, constitutes permitted development in accordance with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Appendix 1 – List of consultees & neighbours notified

None

Appendix 2 – Planning constraints

Article 4 Direction - Removal of PD Rights Change of Use from Class C3 to Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 15M

Area Team Boundary - Name: SOUTH